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PATENT APPLICATION
DOCKET NO.: 00537-111004 #10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shalaby et al.

Application No.: 09/807,087

Group Art Unit: Unknown

Filed: April 9, 2001

Examiner: Unknown

Title: IONIC MOLECULAR CONJUGATES OF N-ACYLATED DERIVATIVES OF POLY(2-AMINO-2-DEOXY-D-GLUCOSE) AND POLYPEPTIDES

CERTIFICATE OF MAILING

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Date of Deposit:

05-24-2002
Alan F. Feeney
Alan F. Feeney

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of the national stage in international application; or before mailing date of first office action on the merits; whichever occurs last)

☐ under 37 CFR 1.97(c) together with either:
☐ a Statement under 37 CFR 1.97(e), as checked below, or
☐ a \$240.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:
☐ a Statement under 37 CFR 1.97(e), as checked below, and
☐ a Petition under 37 CFR 1.97(d)(2), and
☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ Applicant requests that the attached IDS and cited reference(s) [] be placed in the application filewrapper.
(Filed after payment of issue fee)

☒ The listed references were cited in a Hungarian Search Report in a counter part Hungarian application.

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449, with a copy of the reference.
- ☐ Copies of the reference(s) noted on the enclosed form 1449 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)).

Concise Explanation Requirement (non-English references):

- ☒ The "concise explanation" requirement for reference(s) HU 212662 B under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☒ the enclosed is believed to be the equivalent WO 96/04927.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO-1449 appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Assistant Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☒ The Assistant Commissioner is hereby authorized to please charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,

BIOMEASURE, INCORPORATED

Dated:

6-24-2002

By

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PTO-1449 REPRODUCED

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

 ATTORNEY DOCKET NO.
00537-111004

 APPLICATION NO.
09/807,087

 APPLICANT
Shalaby et al.

 FILING DATE
April 9, 2001

 GROUP
Unknown

U.S. PATENT DOCUMENTS

EXAM INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	5,665,702	09/09/97	Shalaby et al.			
	AB						
	AC						
	AD						
	AE						
	AF						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AG	0 643 963 A2 & A3	03/22/95	Europe			
	AH	WO 95/04752 -	02/16/95	PCT			
	AI	WO 96/04927 ~	02/22/96	PCT			
	AJ	WO 96/39160 -	12/12/96	PCT			
	AK	HU 212662 B	08/10/94	Hungary			
	AL						X
	AM						
	AN						
	AO						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AP	Database WPI, Derwent Publications LTD., London, GB; AN 1988-348690[49], XP-002197084 & JP 63 258579 A (Fuji Spinning Co. LTD), October 26, 1988, Abstract
	AQ	Song, Y. et al., "Drug Release and Antitumor Characteristics of N-Succinyl-chitosan-mitomycin C as an Implant", J. Controlled Release, Vol. 42, pp. 93-100 (1996), XP000620286
	AR	

EXAMINER

DATE CONSIDERED